

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **NAKATANI, Hiroshi, et al.**

Serial No.: **10/593,396**

Filed: **September 19, 2006**

Group Art Unit: **Not Yet Assigned**

Examiner: **Not Yet Assigned**

P.T.O. Confirmation No.: **2692**

For: **COLOR TONER FOR DEVELOPING ELECTROSTATIC LATENT IMAGE**

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 18, 2007

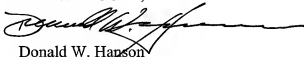
Sir:

The attention of the Patent and Trademark Office is hereby directed to the PCT Notification of Transmittal of copies of translation of the International Preliminary Report on Patentability (PCT Chapter I) attached herewith.

This Notification is submitted herewith to be placed in the U.S. Patent and Trademark Office file of this case.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



Donald W. Hanson
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DWH/lrj
Atty. Docket No. **060713**
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PATENT TRADEMARK OFFICE

Enclosures: PCT Notification of Transmittal of Copies of Translation
of the International Preliminary Report on Patentability (PCT Chapter I).

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

SEKINE, Takeshi
Patent Attorneys Shirpo, 1-20-10-203, Takadanobaba,
Shinjuku-ku, Tokyo
169-0075
JAPON



Date of mailing (day/month/year)
05 October 2006 (05.10.2006)

Applicant's or agent's file reference
PCTF213

FP364US

IMPORTANT NOTIFICATION

International application No.
PCT/JP2005/004453

International filing date (day/month/year)
14 March 2005 (14.03.2005)

Applicant

ZEON CORPORATION et al

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EG, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Masashi Honda

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PCTF213	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2005/004453	International filing date (<i>day/month/year</i>) 14 March 2005 (14.03.2005)	Priority date (<i>day/month/year</i>) 23 March 2004 (23.03.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant ZEON CORPORATION		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report |
| <input type="checkbox"/> Box No. II | Priority |
| <input type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> Box No. VI | Certain documents cited |
| <input type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).

Date of issuance of this report
26 September 2006 (26.09.2006)

Authorized officer

Masashi Honda

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PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis 1)

Date of mailing
(day/month/year)

Applicant's or agent's file reference

PCTF213

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/004453

International filing date (day/month/year)

14.03.2005

Priority date (day/month/year)

23.03.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

ZEON CORPORATION

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis 1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220

Name and mailing address of the ISA/IP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/004453

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/004453

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-13	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO
2. Citations and explanations:			
<p>Document 1: JP, 2003-66731, A (Yuka Denshi Company Limited), 5 March, 2003 (05.03.2003)</p> <p>Document 2: JP, 7-175268, A (CANON INC.), 14 July, 1995 (14.07.95)</p> <p>Document 3: JP, 2002-108011, A (ZEON Corporation), 10 April, 2002 (10.04.02)</p> <p>Document 4: JP, 2004-61686, A (ZEON Corporation), 26 February, 2004 (26.02.04)</p> <p>The subject matters of claims 1-13 do not appear to involve an inventive step in view of document 1 cited in the ISR. Since document 1 describes the same colorant as the invention of the present application, if the pH or electric conductivity of a water extract resulting from extraction of the colorant according to a hot water extraction method is measured, the probability is high that the said extraction will be included within the same scope as that of the present application.</p> <p>The subject matters of claims 1-13 do not appear to involve an inventive step in view of document 2 cited in the ISR. Since document 2 describes the same colorant as the invention of the present application, if the pH or electric conductivity of a water extract resulting from extraction of the colorant according to a hot water extraction method is measured, the probability is high that the said extraction will be included within the same scope as that of the present application.</p> <p>The subject matters of claims 1-13 do not appear to involve an inventive step in view of document 3 cited in the ISR. Since document 3 describes the same colorant as the invention of the present application, if the pH or electric conductivity of a water extract resulting from extraction of the colorant according to a hot water extraction method is measured, the probability is high that the said extraction will be included within the same scope as that of the present application.</p> <p>The subject matters of claims 1-13 do not appear to involve an inventive step in view of document 4 cited in the ISR. Since document 4 describes the same colorant as the invention of the present application, if the pH or electric conductivity of a water extract resulting from extraction of the colorant according to a hot water extraction method is measured, the probability is high that the said extraction will be included within the same scope as that of the present application.</p>			

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No

PCT/JP2005/004453

Box No. VI Certain documents cited

1 Certain published documents (Rule 43bis.1 and 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
JP 2005-62857 A [P, X]	10.03.2005	29.07.2004	29.07.2003

2 Non-written disclosures (Rule 43bis.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/004453

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Since it is unclear what a "methanol extractable component" is even after examining the entire description, the technical significance of establishing the content of the said component is unclear.